IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

In re Patent Application of

Atty Dkt. BJS-4982-5

C#   M#

Confirmation No. 8027

Ana Isabel SANZ MOLINERO

TC/A.U.: 1638

Serial No. 10/537,897

Examiner: Baum

Filed: June 7, 2005

Date: January 5, 2011

Title: PLANTS HAVING MODIFIED GROWTH CHARACTERISTICS AND A METHOD FOR MAKING THE SAME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

☐ **Correspondence Address Indication Form Attached.**

☒ **NOTICE OF APPEAL**
Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the Examiner twice/finally rejecting applicant's claim(s). $540.00 (1401)/$270.00 (2401) $ 270.00

☐ An appeal **BRIEF** is attached in the pending appeal of the above-identified application $540.00 (1402)/$270.00 (2402) $

☐ Credit for fees paid in prior appeal without decision on merits   -$ (   )

☐ A reply brief is attached.   **(no fee)**

☐ Pre-Appeal Brief Request for Review form attached.

☒ Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s)
    One Month Extension $130.00 (1251)/$65.00 (2251)
    Two Month Extensions $490.00 (1252)/$245.00 (2252)
    Three Month Extensions $1110.00 (1253/$555.00 (2253)
    Four Month Extensions $1730.00 (1254/$865.00 (2254) $ 555.00

☒ "Small entity" statement attached.

Less two month extension previously paid on December 7, 2010   -$(245.00)

TOTAL FEE PAID ELECTRONICALLY BY CREDIT CARD $ 580.00

☐ **CREDIT CARD PAYMENT (FORM ATTACHED IF PAPER FILING).**

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any <u>deficiency</u>, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140.**

901 North Glebe Road, 11th Floor
Arlington, Virginia 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
BJS:pp

NIXON & VANDERHYE P.C.
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: _____ /B. J. Sadoff/ _____